



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

July 28, 2006

Christopher J. Ward, Treasurer
National Republican Congressional Committee
320 First Street
Washington, DC 20003

Response Due Date:
August 28, 2006

Identification Number: C00075820

Reference: June Monthly Report (5/1/06-5/31/06)

Dear Mr. Ward:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2006 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

-Schedule B of your report discloses an in-kind contribution(s) designated for the general election, but made before the primary election (pertinent portion(s) attached). In-kind contributions of equipment, such as computers, with a long-term useful life (e.g., an election cycle, or perhaps longer) are similar to contributions of money and may be designated for elections beyond the next election, provided the contributor designates the contribution as such in writing. A contribution of this type of equipment is distinguishable from in-kind contributions that are used only for one particular election, such as non-exempt contributions of food or beverages consumed by primary election day workers, or printing or mailing costs related to general election events or fundraisers. Please amend your report to include a description of the nature of the in-kind contribution(s) in question. If the in-kind contribution(s) on your report does not have a "long-term useful life," it may constitute an excessive contribution(s) for the primary election (see Advisory Opinion 1996-29).

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have made an excessive contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be reported

on Schedule A supporting Line 16 of the Detailed Summary Page of the report covering the period in which they are received. Redesignations should be reported as memo entries on Schedule B of the report covering the period in which the redesignation is made. 11 CFR §110.2(b)

Although the Commission may take further legal steps, prompt action by your committee to refund or seek redesignation of the excessive amount will be considered.

-Schedule E of your report discloses a Calendar Year-To-Date Per Election for Office Sought total for the 2006 California District 50 Special Runoff Election which appears to be incorrect. FEC calculations disclose this amount(s) to be \$3,670,532.80. This figure is calculated by aggregating the total amount expended during the calendar year, per election, per office sought. Please amend your report to clarify this discrepancy.

-Schedule E discloses independent expenditures on behalf of a federal candidate(s). Schedule F of this report discloses coordinated expenditures on behalf of the same candidate(s). Under 2 U.S.C. §431(17), an "independent expenditure" is defined as:

... an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate; and that is not made in concert or cooperation with or at the request or suggestion of such candidate, the candidate's authorized committee, or their agents, or a political party committee or its agents.

Further, 11 CFR §109.21 outlines the factors which define a coordinated communication. Please verify that the independent expenditures made by your Committee in support of Brian Bilbray meet the definition of and were properly categorized as independent expenditures. If necessary, amend your reports to disclose the aforementioned transactions as in-kind contributions (Schedule B supporting Line 23 of the Detailed Summary Page) or coordinated expenditures (Schedule F supporting Line 25 of the Detailed Summary Page).

If the reclassification of these expenditures as in-kind contributions results in excessive contributions, the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of \$5,000 per election. If the reclassification of these expenditures as coordinated expenditures results in your committee exceeding the limitations under 2

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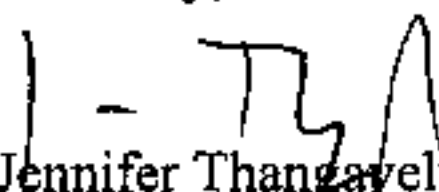
U.S.C. §441a(d), the Commission recommends that you notify the candidate(s) and request a refund of the amount in excess of the expenditure limitation.

Please inform the Commission of any corrective action immediately in writing and provide a photocopy of your refund request(s) sent to the candidate(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1143.

Sincerely,


Jennifer Thangayelu
Senior Campaign Finance Analyst
Reports Analysis Division

Contributions After Election Date

Recipient Name	Date	Amount	Election	Election State - Date
SUE MYRICK FOR CONGRESS	5/8/06	\$80.00	P2006	NC - 5/2/06
VIRGINIA FOXX FOR CONGRESS	5/9/06	\$316.66	P2006	NC - 5/2/06
CHARLES TAYLOR FOR CONGRESS	5/11/06	\$98.00	P2006	NC - 5/2/06
CHOCOLA FOR CONGRESS	5/12/06	\$19.60	P2006	IN - 5/2/06
MCHENRY FOR CONGRESS	5/16/06	\$90.00	P2006	NC - 5/2/06
PEOPLE FOR ENGLISH COMMITTEE	5/18/06	\$316.66	P2006	PA - 5/16/06
ROBIN HAYES FOR CONGRESS	5/23/06	\$80.00	P2006	NC - 5/2/06
FRIENDS OF JOHN PETERSON	5/23/06	\$500.00	P2006	PA - 5/16/06
HOOSIERS FOR BUYER FOR CONG.	5/24/06	\$312.50	P2006	IN - 5/2/06
VIRGINIA FOXX FOR CONGRESS	5/24/06	\$80.00	P2006	NC - 5/2/06
SHELLEY MOORE CAPITO	5/25/06	\$250.00	P2006	WV - 5/9/06
FRIENDS OF JOE PITTS	5/30/06	\$98.00	P2006	PA - 5/16/06

In-Kind Contributions Designated for General Election but Made Before Primary Election

Recipient Name	Date	Amount	Election	Election State - Date
PORTER FOR CONGRESS	5/4/06	\$98.00	G2006	NV - 8/15/06
MUSGRAVE FOR CONGRESS	5/10/06	\$98.00	G2006	CO - 8/8/06
PORTER FOR CONGRESS	5/11/06	\$98.00	G2006	NV - 8/15/06
FRANK LUCAS FOR CONGRESS	5/16/06	\$98.00	G2006	OK - 7/25/06
RODNEY ALEXANDER FOR CONGRESS	5/17/06	\$98.00	G2006	LA - 8/11/06
VITO FOSSELLA FOR CONGRESS	5/17/06	\$98.00	G2006	NY - 9/12/06

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In-Kind Contributions Designated for General Election but Made Before Primary Election (continued)

Recipient Name	Date	Amount	Election	Election State - Date
INGLIS FOR CONGRESS COMMITTEE	5/17/06	\$98.00	G2006	SC - 6/13/06
JOHN SWEENEY FOR CONGRESS	5/19/06	\$98.00	G2006	NY - 9/12/06
PETE KING FOR CONGRESS COMM.	5/22/06	\$98.00	G2006	NY - 9/12/06
MIKE ROGERS FOR CONGRESS	5/22/06	\$98.00	G2006	MI - 8/8/06
FRIENDS OF DAVE WELDON COMM.	5/22/06	\$98.00	G2006	FL - 9/5/06
ERIC CANTOR FOR CONGRESS	5/23/06	\$98.00	G2006	VA - 6/13/06
MIKE CASTLE FOR CONGRESS	5/23/06	\$98.00	G2006	DE - 9/12/06
INGLIS FOR CONGRESS COMMITTEE	5/23/06	\$98.00	G2006	SC - 6/13/06
COMMITTEE TO RE-ELECT BOBBY JINDAL	5/23/06	\$98.00	G2006	LA - 8/11/06
ERIC CANTOR FOR CONGRESS	5/24/06	\$98.00	G2006	VA - 6/13/06
TOM DAVIS FOR CONGRESS	5/25/06	\$98.00	G2006	VA - 6/13/06

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